



REC'D  
REGULATORY AUTH.

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July 13, 2001

**VIA HAND DELIVERY**

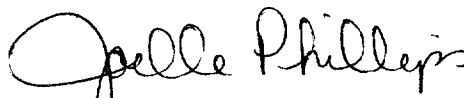
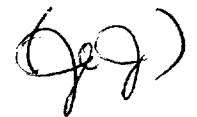
Mr. David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Re: *BellSouth Telecommunications, Inc.'s Tariff Filing for Contract Service  
Arrangement FLOO-4090-00  
Docket No. 01-00517*

Dear Mr. Waddell:

Enclosed please find an original and thirteen copies of BellSouth's Motion for Clarification or Reconsideration.

Very truly yours,

  
Joelle Phillips 

JP/jej

Enclosure

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:        *BELLSOUTH TELECOMMUNICATIONS, INC.'S TARIFF FILING FOR  
CONTRACT SERVICE ARRANGEMENT FL00-4090-00***

**Docket No. 01-00517**

**MOTION FOR CLARIFICATION OR RECONSIDERATION**

BellSouth Telecommunications, Inc. ("BellSouth") submits this Motion for Clarification or Reconsideration and respectfully shows the Tennessee Regulatory Authority (the "Authority") as follows:


1.     On July 10, 2001, at its Agenda Conference, the Authority considered three Contract Service Arrangements ("CSAs") (Items 5, 6 and 7 on the Agenda) submitted for approval by BellSouth. Upon review of the transcript, BellSouth respectfully requests clarification from the Authority regarding whether approval of those CSAs was denied or merely held in abeyance. The colloquy between the Directors on this matter is set forth on Pages 20 through 22 of the transcript, attached as Exhibit "A."

2.     To the extent that the Authority intended to deny approval of the CSAs, rather than hold the matter in abeyance, BellSouth respectfully requests that the Authority reconsider and, instead, hold the matter in abeyance until August 15, 2001. BellSouth is preparing to file a tariff addressing this issue on or about August 1, 2001, and August 15, 2001 is the date BellSouth anticipates that the new tariff would become effective. Going forward, BellSouth will proceed with the

understanding that all CSAs approved after the tariff effective date will be subject to the new tariff to the extent such CSAs address services in Tennessee.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By:   
Guy M. Hicks  
Joelle Phillips  
333 Commerce Street, Suite 2101  
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(615) 214-6301

**EXHIBIT "A"**

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BEFORE THE TENNESSEE REGULATORY AUTHORITY

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TRANSCRIPT OF DIRECTORS' CONFERENCE

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Tuesday, July 10, 2001

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21 Reported By:

22 Susan D. Delac, RPR, CCR

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1	DOCKET	DESCRIPTION	DISPOSITION	PAGE
2	00-00358	BellSouth Tele-	Approved	7
3		communications,	3-0	
4		Inc., notice of intent		
5		to request a temporary		
6		waiver of physical		
7		collocation in the		
8		Dickson central office		
9	00-01128	On-Site Systems,	Approved	7
10		Inc., On-Site Systems	3-0	
11		Inc. to expand service		
12		area to include the		
13		City of Coopertown		
14	01-00405	AT&T Communications	Director	11
15		of the South Central	Greer	
16		States (IXC)	appointed	
17		AT&T Communications	hearing	
18		of the South Central	officer	
19		States and TCG	Approved	
20		MidSouth, Inc.,	2-1	
21		Petition for	(Malone	
22		structural separation	dissenting)	
23		of BellSouth Tele-		
24		communications, Inc.		
25		Consider appointment		
26		of hearing officer		
27	01-00510	United Cities Gas	Petition to	15
28		Company	withdraw	
29		Petition of United	Approved	
30		Cities Gas for	3-0	
31		expedited approval		
32		of authority to		
33		purchase futures		
34		contracts for the		
35		winter heating season		
36		of 2001-2002 on an		
37		experimental basis		
38	01-00514	BellSouth Tele-	Denied	22
39		communications, Inc.	2-1	
40		Tariff filing for	(Kyle	
41		contract service	dissenting)	
42		arrangement		
43		FL00-7387-00		

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1	DOCKET	DESCRIPTION	DISPOSITION	PAGE
2	01-00517	BellSouth Tele-	Denied	22
3		communications, Inc.	2-1	
4		Tariff filing for	(Kyle	
5		contract service	dissenting)	
		arrangement		
		FL00-4090-00		
6	01-00519	BellSouth Tele-	Denied	22
7		communications, Inc.	2-1	
8		Tariff filing for	(Kyle	
		contract service	dissenting)	
		arrangement		
		NC00-1808-00		
9	01-00543	Tennessee Water	Approved	22
10		Service, Inc.	3-0	
11		Petition for		
12		authority to		
		transfer control		
		of Utilities, Inc.		
		to Nuon NV		
13	99-00662	Petition of MCI	BellSouth	31
14		WorldCom to enforce	ordered to	
15		interconnection	comply with	
16		agreement with	order by 7/13	
		BellSouth	Approved	
			3-0	
17				
18	INTERCONNECTION AND		Approved	23
	RESALE AGREEMENTS		3-0	
19	01-00384	BellSouth Telecommunications, Inc.		
20		Amendment to the interconnection		
21		agreement dated December 22, 2000,		
		between BellSouth and Premiere		
		Network Services, Inc.		
22	01-00385	BellSouth Telecommunications, Inc.		
23		Amendment to the interconnection		
24		agreement between BellSouth and		
		Global Crossing Local Services, Inc.		
25				

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1 liability provisions in those tariff term plans.  
2 Customers that signed up for and wanted to avail  
3 themselves of that 2001 key promotion would be subject  
4 to the termination liability provisions that do not  
5 include the buyouts.

6 DIRECTOR MALONE: I don't have any  
7 further questions of Mr. Hicks. I have a motion if  
8 there are other questions of Mr. Hicks before that  
9 time.

10 (No response.)

11 DIRECTOR MALONE: Thank you,  
12 Mr. Hicks.

13 MR. HICKS: Thank you.

14 DIRECTOR MALONE: It appears to me  
15 that the -- Madam Chairman, are we taking 5, 6, and 7  
16 separately or together?

17 CHAIRMAN KYLE: Be glad to take them  
18 together.

19 DIRECTOR MALONE: It appears to me  
20 that Agenda Items 5, 6, and 7 are from the standpoint  
21 of the underlying termination provisions permitting a  
22 90 or 100 percent buyout are on all fours with the key  
23 business discount. And in that situation, BellSouth  
24 agreed that the underlying tariff termination  
25 provisions will not be applicable but that they would

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1 conform with the rule that has been adopted by the  
2 Authority.

3 I see no material reason why these  
4 CSAs should not also conform to that offering by  
5 BellSouth, particularly in light of the fact that these  
6 are not CSAs that were filed before the Agency adopted  
7 the rule. These are not CSAs that were filed before  
8 BellSouth and staff submitted the settlement agreement.

9 And BellSouth has always communicated  
10 to this Agency that upon the adoption of the rule, that  
11 it would conform its practices to the rule, not upon  
12 the effective date of the rule but upon the adoption of  
13 the rule. And these three CSAs fly in the face of that  
14 offer and are inconsistent with what BellSouth agreed  
15 to do last week and the key business discount.

16 So approving these CSAs, I would be  
17 glad to do so, so that the customers can get these  
18 discounts. But to approve these CSAs and remain intact  
19 termination provisions that are clearly inconsistent  
20 with the rule and clearly inconsistent with what  
21 BellSouth has agreed to do, would be a  
22 misrepresentation to this Agency.

23 So last week BellSouth agreed to  
24 modify the key business discount consistent with the  
25 rule. And I would suggest that either BellSouth can

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1 agree to do that with these CSAs and they can be  
2 approved, or that these CSAs be either held in abeyance  
3 or denied.

4 DIRECTOR GREER: Maybe the secret now  
5 is that we call Mr. Howorth. Maybe we can get another  
6 answer out of Mr. Howorth consistent with his answer  
7 last week.

8 As I understood last week, or the last  
9 time we had this, both key business discount and this  
10 are both volume and term contracts. And based on the  
11 answer that Mr. Howorth gave us two weeks ago, I'm  
12 going to vote to second your motion.

13 CHAIRMAN KYLE: I'm not with that  
14 motion. I would be for approval of these as they  
15 stand. Next item.

16 MR. WADDELL: 01-00543, Tennessee  
17 Water Service, Inc., petition for authority to transfer  
18 control of Utilities, Inc. to Nuon NV.

19 CHAIRMAN KYLE: I move to approve the  
20 petition.

21 DIRECTOR MALONE: Second.

22 DIRECTOR GREER: Does this involve an  
23 inspection trip to the world headquarters of Nuon on  
24 behalf of the three commissioners?

25 MR. WADDELL: With the vote of three